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July 29, 2008

MEMO ENDORSED

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VIA FACSIMILE 212 805-7930

The Honorable James C. Francis, IV
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1960
New York, New York 10007-1312

Re: Elmobda v. LMS Ship Management, Inc. et al
Case No.: 1:07-cv-06831-JCF
Our File No.: 168.0002

Dear Judge Francis:

We represent defendants in this seaman's wrongful death action. We write on behalf of ourselves and Plaintiff's counsel to request a 90 day extension of time to complete discovery. The current fact discovery cut off date is July 31, 2008.

The parties have engaged in documentary discovery and the Chief Mate has been deposed. The captain and former vessel medical officer have not yet been deposed. The Captain, who lives in Oregon, is due off a vessel in mid-September and can be available in New York for a deposition the week of September 29th. The medical officer no longer works for defendants and lives in the state of Washington. Both parties are attempting to locate him but he may be at sea. If he cannot be contacted by the time the Captain is deposed, it is unlikely he will be located. Last, medical records from a hospital in Fujairah, United Arab Emirates, have not yet been received and are necessary for medical expert opinions.

We therefore joint request and approximate 90 day adjournment of the fact discovery completion date until October 31, 2008 and a similar extension of the expert discovery completion date to November 28, 2008 and the proposed pre-trial order filing date to December 31, 2008.

Respectfully submitted,

HILL, BETTS & NASH LLP



Gordon S. Arnott

GSA/sas

cc: Lawrence Arcell, Esq. *via e-mail*
Hofmann & Associates
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7/29/08
Application granted.
SO ORDERED.
James C. Francis IV
USMJ